

## **505 KAR 2:090. Juvenile rights.**

RELATES TO: KRS 15A.210-15A.240

STATUTORY AUTHORITY: KRS 15A.210

NECESSITY, FUNCTION, AND CONFORMITY: KRS 15A.210 mandates that the Department of Juvenile Justice issue administrative regulations governing juvenile detention centers and juvenile holding facilities.

Section 1. (1) The facility shall adopt and enforce written policies and procedures which:

- (a) Provide that juveniles shall not be subject to discrimination based on race, national origin, color, creed, sex, or physical handicap;
  - (b) Provide each juvenile freedom from discrimination based on race, religion, national origin, sex, handicap or political beliefs, and equal access to various programs and work assignments;
  - (c) Provide that supervision and control of juveniles shall be exercised by staff;
  - (d) Provide that juveniles may participate in religious services and religious counseling on a voluntary basis, subject only to the limitations necessary to maintain order and security;
  - (e) Grant juveniles access to recreational opportunities and equipment, including, when the climate permits, outdoor exercise in facilities listed in the physical plant regulations in this chapter;
  - (f) Ensure the right of juveniles to have access to the courts;
  - (g) Exist to assist juveniles in making confidential contact with attorneys and their authorized representatives. Such contact includes, but is not limited to, telephone communications, uncensored correspondence and visits;
  - (h) Provide that juveniles are not subjected to corporal or unusual punishment, humiliation, mental abuse or punitive interference with the daily functions of living, such as eating or sleeping;
  - (i) Grant juveniles the right to receive visits, subject only to the limitations necessary to maintain order and security;
  - (j) Grant juveniles the right to communicate or correspond with persons or organizations, subject only to the limitations necessary to maintain facility order and security;
  - (k) Provide juveniles reasonable access to the general public through the communications media, subject only to the limitations necessary to maintain order and security and protect the juveniles' rights. Media requests for interviews and any juvenile consent shall be in writing;
  - (l) Authorize juveniles to keep facial hair, if desired, except in individual cases where such restrictions are necessary for reasons of health and safety; and
  - (m) Govern the possession of items of jewelry that could be used to inflict bodily harm.
- (2) There shall be equal access to programs and services for male and female juveniles in cocorrectional facilities.
- (3) There shall be a written grievance procedure, which shall be explained and made available to juveniles, and allows for at least one (1) level of appeal.
- (4) Juveniles shall not be required to participate in uncompensated work assignments unless the work is related to housekeeping, maintenance of the facility or grounds, or personal hygienic needs, or the work is part of an approved vocational or training program.
- (5) There shall be no restrictions on the right of juveniles to determine the length and style of their hair, except in individual cases where such restrictions are necessary for reasons of health and safety.

(6) Juveniles may wear personal clothing consistent with facility guidelines or wear combinations of their own and facility clothing. (26 Ky.R. 1284; 1548; eff. 2-14-2000; Crt eff. 3-13-2019.)